



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

SMS/MRG/GN  
F. #2021R00498

*271 Cadman Plaza East  
Brooklyn, New York 11201*

January 22, 2024

By ECF

The Honorable Eric N. Vitaliano  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Xu, et al  
Docket No. 22-CR-158 (S-1) (ENV)

Dear Judge Vitaliano:

The government respectfully submits this letter on behalf of the parties in the above-captioned matter to provide the Court with an update on the status of the case and to propose a revised scheduling order. The government understands that the defense group does not object to the requests set forth herein.

Since the last status conference, one defendant, Carlos Cury, has plead guilty and two more defendants, Siyu Chen and Meizhen Song, are in the process of scheduling guilty plea hearings. In addition, the government is in active plea negotiations with four other defendants.

In light of these developments, the parties request a trial on May 20, 2024, and respectfully submit that the March 25, 2024 trial date is no longer necessary. At this time, the government does not expect more than five defendants to proceed to trial in this case, in light of the status of plea negotiations; however, if more than five defendants ultimately intend to proceed to trial, the parties will ask the Court to set a second trial date to follow the May 20, 2024 trial date.

Should the Court grant this request, the parties further request that the Court so-order the following pre-trial schedule.

March 8, 2024	Government expert notice due
March 22, 2024	Simultaneous motions <u>in limine</u> , to include government disclosure of <u>Giglio</u> information, due
April 12, 2024	Government non-sensitive 3500 material and trial exhibits due
April 19, 2024	Responses to motions <u>in limine</u> due

May 10, 2024                      Government sensitive 3500 material due

May 20, 2024                      Jury selection to begin

In addition, the parties respectfully request a final pre-trial conference the week of April 29, 2024, at the Court's convenience.

Finally, the parties request that the above dates and deadlines supersede any prior pre-trial deadlines, with the exception of the February 16, 2024 status conference and oral argument on the pre-trial motions filed on December 29, 2023.

Respectfully submitted,

BREON PEACE  
United States Attorney

By:                     /s/                      
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cc: Clerk of Court (by ECF)  
Counsel of Record (by ECF)